

IN RE: PETITION FOR ADMINISTRATIVE VARIANCE
W/S S. Rolling Rd., 220 ft. +/-
N of c/l Francis Avenue
1550 S. Rolling Road
1st Election District
1st Councilmanic District
Michael A. Lamont, et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 93-267-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a side yard setback of 8 ft., in lieu of the required 15 ft., for an addition, as more particularly described on Petitioners' Exhibit No. 1.

The Petitioners having filed a Petition for Residential Variance, and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, including letters in support for the Petition from their immediate neighbors, and the photographs presented, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should, therefore, be granted. In the opinion of the Zoning Commissioner, the information, photos, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 17th day of March, 1993 that the Petition for a Variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a side yard setback of 8 ft., in lieu of the required 15 ft., for an addition, in accordance with Petitioners' Exhibit No. 1, is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LRS/mnn

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

March 16, 1993

Mr. and Mrs. Michael A. Lamont
1550 S. Rolling Road
Relay, Maryland 21227-4230

RE: Petition for Administrative Variance
Case No. 93-267-A
1550 S. Rolling Road

Dear Mr. and Mrs. Lamont:

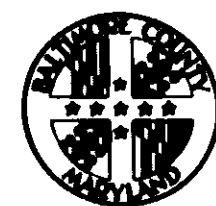
Enclosed please find the decision rendered in the above captioned case. The Petition for Administrative Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner

LRS/mnn
encl.



Petition for Administrative Variance
to the Zoning Commissioner of Baltimore County

for the property located at 1550 South Rolling Road
which is presently zoned D.R. 3.5

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property above in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) SECT. 1B02.3.C.1 - To permit 2 side yard setback of 8' in lieu of the required 15'.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty) This Variance is requested for the purpose of expanding our home to accommodate our expanding family size. We will be having our fourth child in June and desperately need more bedrooms. We love our home and community and do not wish to move.

Property is to be posted and advertised as prescribed by Zoning Regulations. I or we, agree to pay expenses of above Variance advertising, posting, etc. upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee
(Type or Print Name)
Signature
Address
City State Zipcode
Attorney for Petitioner
(Type or Print Name)
Signature
Address
City State Zipcode
Name Address and phone number of legal owner (contact purchaser or representative to be contacted)
Name Address Phone No.

Michael Anthony Lamont
Michael Anthony Lamont
Carol Marie Lamont
1550 S. Rolling Rd (410) 292-0835
Relay Maryland 21227-4230

A Public Hearing having been requested and/or held as required, it is ordered by the Zoning Commissioner of Baltimore County, this 16th day of March, 1993, that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be posted.

Zoning Commissioner of Baltimore County

REVIEWED BY: R.T. DATE: 2-8-93
ESTIMATED POSTING DATE: 2-28-93

ITEM #: 275

ORDER RECEIVED FOR FILING
Date 3/16/93
By [Signature]

ORDER RECEIVED FOR FILING
Date 3/16/93
By [Signature]

-2-

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:
That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) hereunto consent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) do(es) presently reside at 1550 South Rolling Road
Baltimore Maryland 21227-4230

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (Indicate hardship or practical difficulty)

This Variance is requested for the purpose of expanding our home to accommodate our expanding family size. We will be having our fourth child in June and desperately need more bedrooms. We love our home and community and do not wish to move.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reporting and advertising fee and may be required to provide additional information.

Michael A. Lamont
Michael A. Lamont
Carol M. Lamont
Carol M. Lamont

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 21 day of JANUARY, 1993, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

MICHAEL A. LAMONT CAROL M. LAMONT

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in the form of law that the matters and facts hereinabove set forth are true and correct to the best of their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

21 Jan 93

Notary Public
My Commission Expires: 01 NOV 94

00-08-1993 11:05AM 93-267-A

93-267-A

TECHNICAL DESCRIPTION OF LOT #1

ZONING DESCRIPTION FOR 1550 South Rolling Road beginning at a point on the West side of South Rolling Road which is 50 feet wide at the distance of 220 feet North of the centerline of the improved intersecting street Francis Avenue which is 50 feet wide. As recorded in Deed Liber E.H.K. Jr. No. 6829 Folio 313, containing 0.5445 Acres. Also known as Lot #1 (1550 South Rolling Road) as laid out on a plat entitled Subdivision Plat "COLL PROPERTY" and located in the 13th Election District.

Typical metes and bounds: N.27 30'55"W. 91.62 ft., R=455.00 ft. L=33.47 ft., S.46 58'45"W. 86.53 ft., S.59 24'47"W. 191.57 ft., S.41 12'27"W. 53.00 ft., S.48 47'33"E. 50.00 ft., N.41 12'27"E. 53.00 ft., S.72 24'06"E. 261.67 ft. to the place of beginning.

Attention: Reg Tanguileg
(410) 887-5708
Zoning Office Room 109

ZONING DESCRIPTION
1550 South Rolling Road

1550 South Rolling Road beginning at a point on the West side of South Rolling Road which is 50 feet wide at the distance of 220 feet North of the centerline of the nearest improved intersecting street Francis Avenue which is 50 feet wide. As recorded in Deed Liber E.H.K. JR. NO. 6829 Folio 313, containing 0.5445 Acres. Also Known as Lot #1 (1550 South Rolling Road) as laid out on a plat entitled Subdivision Plat "COLL PROPERTY" and located in the 13th Election District.

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:Jaw

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 12th
Posted for: Variance
Petitioner: Michael A. & Carol M. Lamont
Location of property: 1550 S. Rolling Rd., 220' +/- N. of Francis Ave.
Location of Sign: 1550 S. Rolling Rd.
Remarks: [Signature]
Posted by: [Signature]
Number of Signs: 1

Date of Posting: 2/16/93
Date of return: 3/5/93

Baltimore County
Zoning Administration & Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-4180

Number

H9300275

FEES	UNIT	PRICE
HEARING FEES		
VARIANCE (IRL)	1 X	\$50.00
POSTING SIGNS / ADVERTISING	1 X	\$35.00
TOTAL:		\$85.00

OWNER: LAMONT

04A040072WICHR
EN COOP 143AM02-00-93
Please Make Checks Payable To: Baltimore County

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

March 5, 1993

Mr. and Mrs. Michael Anthony Lamont
1550 S. Rolling Road
Relay, MD 21227-4230

RE: Case No. 93-267-A, Item No. 275
Petitioner: Michael Anthony Lamont, et ux
Petition for Administrative Variance

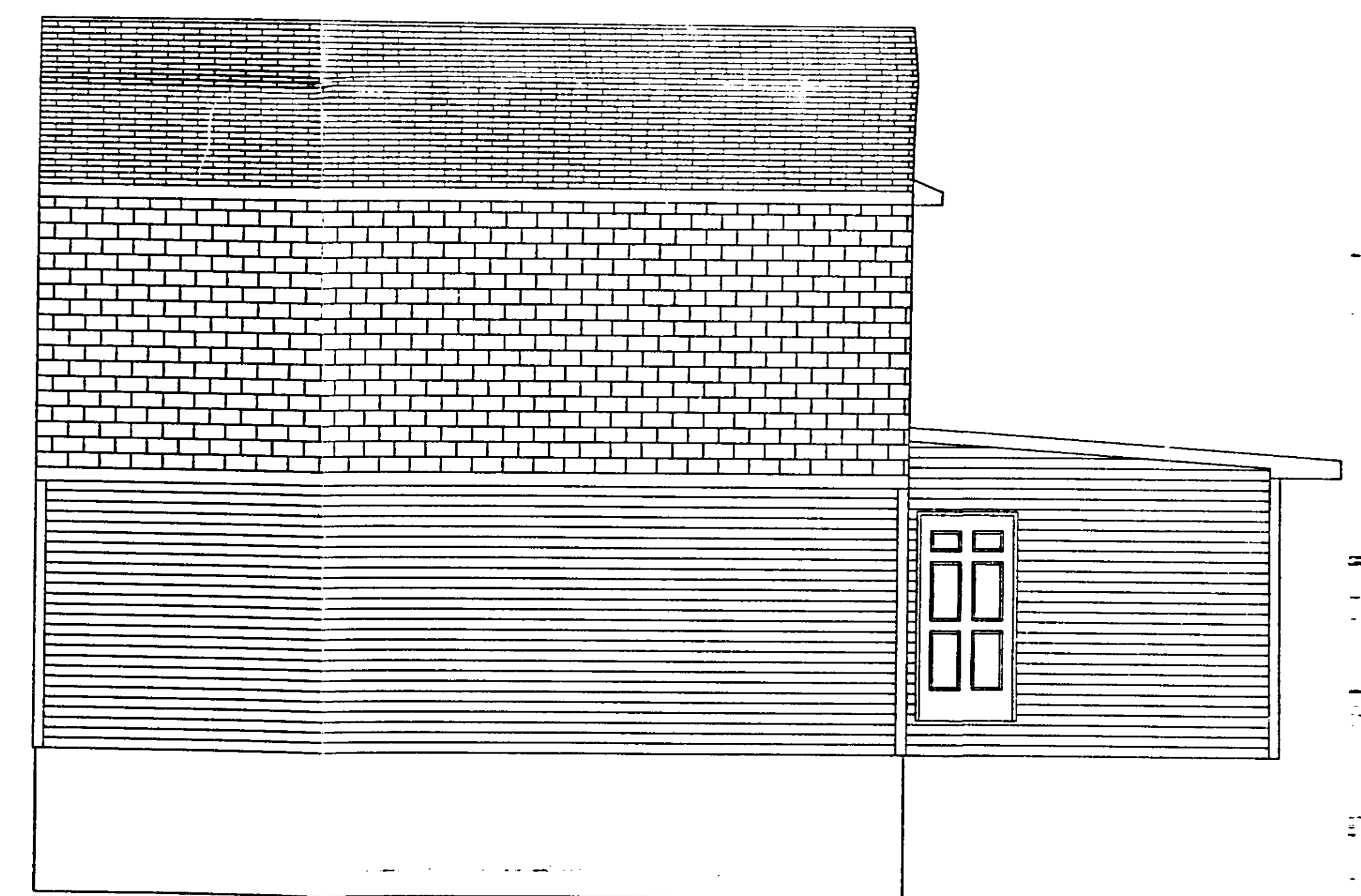
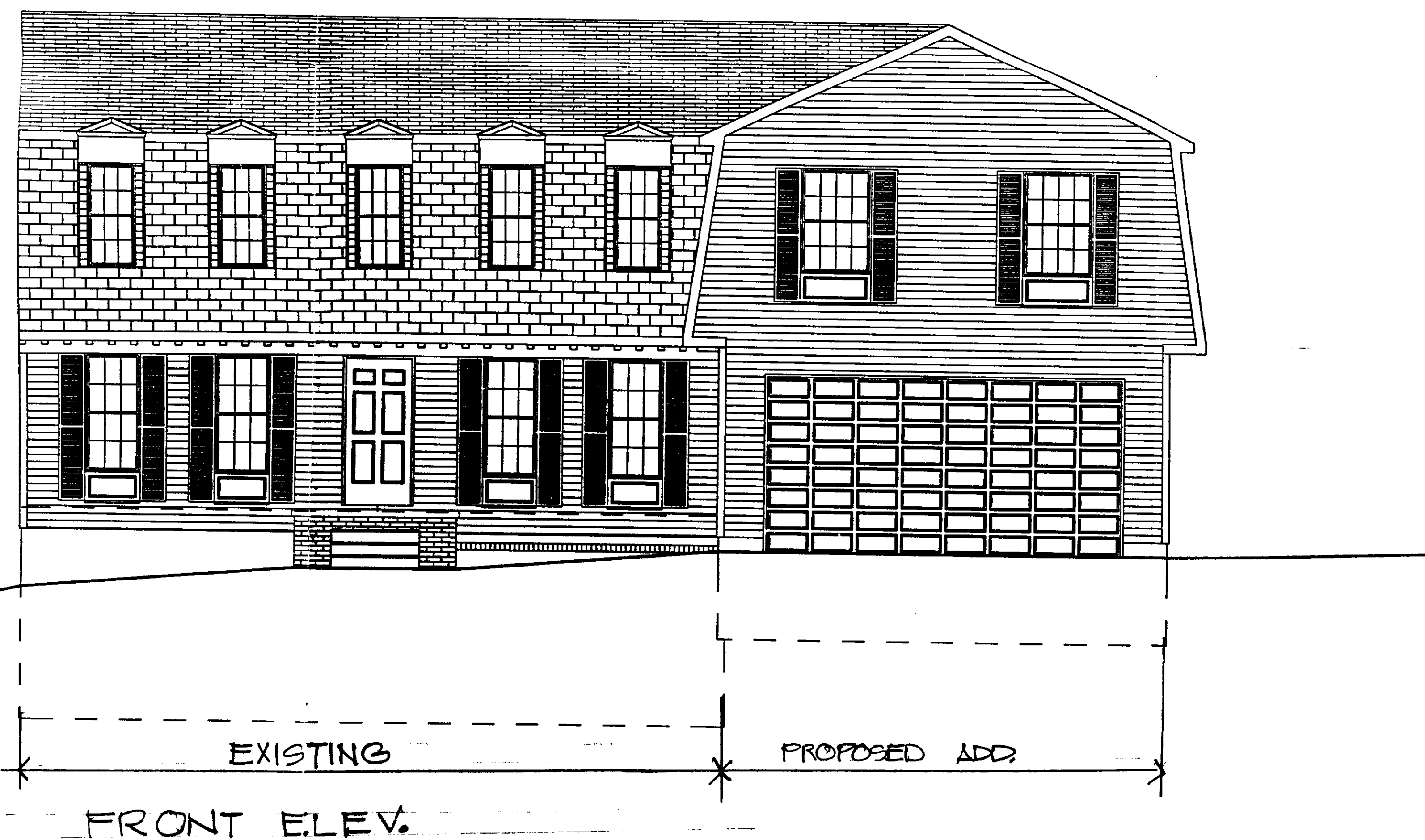
Dear Mr. and Mrs. Lamont:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on February 8, 1993, and a hearing was scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.



93-267-A ITEM # 275

ITEM # 275



BALTIMORE COUNTY 93-267-A
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W.V. 25401

SCALE
1" = 200' ±

DATE
OF
PHOTOGRAPHY
JANUARY
1986

LOCATION

RELAY

SHEET

S. W.
7-E